

90th Legislative Session – 2015

Committee: Senate State Affairs

Monday, January 26, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Holien
P Hunhoff (Bernie)
P Lederman
P Otten (Ernie)
P Soholt
P Solano
P Sutton
P Brown, Vice-Chair
P Rave, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Tim Rave, Chair.

MOTION: TO APPROVE THE MINUTES OF JAN. 23, 2015

Moved by: Holien
Second by: Soholt
Action: Prevailed by voice vote.

SB 8: exempt certain transactions entered into by the State Investment Council from certain procurement requirements.

Presented by: Matt Clark, SD State Investment Council
Proponents: Jeff Holden, Bureau of Administration
Opponents: none

MOTION: AMEND SB 8

8fb

On page 1, line 11, of the printed bill, delete everything after "state." .

On page 1, delete lines 12 and 13, and insert:

" Section 2. That § 5-18A-22 be amended to read as follows:

5-18A-22. The provisions of this chapter and chapters 5-18B, 5-18C, and 5-18D do not apply to:

- (1) Any highway construction contract entered into by the Department of Transportation;
- (2) Any contract for the purchase of supplies from the United States or its agencies or any contract issued by the General Services Administration;
- (3) Any purchase of supplies or services, other than professional services, by purchasing agencies from any active contract that has been awarded by any government entity by competitive sealed bids or competitive sealed proposals or from any contract that was competitively solicited and awarded within the previous twelve months;
- (4) Any equipment repair contract;
- (5) Any procurement of electric power, water, or natural gas; chemical and biological products; laboratory apparatus and appliances; published books, maps, periodicals and technical pamphlets; works of art for museum and public display; medical supplies; communications technologies, computer hardware and software, peripheral equipment, and related connectivity; tableware or perishable foods;
- (6) Any supplies, services, and professional services required for externally funded research projects at institutions under the control of the Board of Regents;
- (7) Any property or liability insurance or performance bonds, except that the actual procurement of any insurance or performance bonds by any department of the state government, state institution, and state agency shall be made under the supervision of the Bureau of Administration;
- (8) Any supplies needed by the Department of Human Services or the Department of Social Services or prison industries for the manufacturing of products;
- (9) Any printing involving student activities, conducted by student organizations and paid for out of student fees, at institutions under the control of the Board of Regents. However, nothing in this subdivision exempts, from the requirements of this chapter and chapters

5-18B, 5-18C, and 5-18D, purchases that involve printing for other activities at institutions under the control of the Board of Regents;

- (10) Any purchase of surplus property from another purchasing agency;
- (11) Any animals purchased;
- (12) Any purchase by a school district of perishable food, raw materials used in construction or manufacture of products for resale, or for transportation of students;
- (13) Any authority authorized by chapters 1-16A, 1-16B, 1-16E, 1-16G, 1-16H, 1-16J, 5-12, or 11-11;
- (14) Any seeds, fertilizers, herbicides, pesticides, feeds, and supplies used in the operation of farms by institutions under the control of the Board of Regents;
- (15) Any purchase of supplies for any utility owned or operated by a municipality if the purchase does not exceed the limits established in § 5-18A-14;
- (16) For political subdivisions, any contract for asbestos removal in emergency response actions and any contract for services provided by individuals or firms for consultants, audits, legal services, ambulance services, architectural services and engineering, insurance, real estate services, or auction services; ~~or~~
- (17) Any purchase of supplies or services from a contract established through a Midwestern Higher Education Compact group purchasing program by a competitive sealed bid or a competitive sealed proposal; or
- (18) Any contract concerning the custody, management, purchase, sale, and exchange of fund investments and research by the State Investment Council or Division of Investment."

Moved by: Lederman
Second by: Brown
Action: Prevailed by voice vote.

MOTION: DO PASS SB 8 AS AMENDED

Moved by: Brown
Second by: Lederman
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown,

Rave

MOTION: PLACE SB 8 ON CONSENT CALENDAR

Moved by: Brown
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: AMEND TITLE OF SB 8

8FTA

On page 1, line 2, of the printed bill, after "Council" insert "and Division of Investment".

Moved by: Lederman
Second by: Sutton
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown, Rave

SB 9: revise certain provisions regarding the transfer of funds administered by the state investment officer.

Presented by: Matt Clark, SD State Investment Council
Proponents: Jim Terwilliger, Bureau of Finance & Management
Opponents: none

MOTION: DO PASS SB 9

Moved by: Soholt
Second by: Otten (Ernie)
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Holien, Hunhoff (Bernie), Otten (Ernie), Soholt, Solano, Sutton, Brown, Rave

Excused: Lederman

SB 10: revise certain provisions concerning the classes of investments used for state funds.

Presented by: Matt Clark, SD State Investment Council

Proponents: Jim Terwilliger, Bureau of Finance & Management

Opponents: none

MOTION: DO PASS SB 10

Moved by: Sutton

Second by: Solano

Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Holien, Hunhoff (Bernie), Lederman, Otten (Ernie), Soholt, Solano, Sutton, Brown, Rave

MOTION: PLACE SB 10 ON CONSENT CALENDAR

Moved by: Brown

Second by: Lederman

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Brown

Second by: Lederman

Action: Prevailed by voice vote.

Theresa Riggs
Committee Secretary

Tim Rave, Chair